

**IN THE UNITED STATES DISTRICT COURT  
IN THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

**EVA GUNNINGS, et al.,**

**Plaintiffs,**

**v.**

**INTERNET CASH ENTERPRISE OF ASHEVILLE,  
LLC, et al.,**

**Defendants.**

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**Case No. 5:06-CV-98**

**CONSENT ORDER PRESERVING RECORDS**

This matter coming on to be heard on the motion of the Plaintiffs with regard to certain records in this matter, and this Court noting that the defendants consent to the motion and good cause is otherwise shown;

With the consent of the parties, it is accordingly hereby ordered as follows:

1. Defendants shall preserve all records, including but not limited to electronic records and computer files, relating to:
  - a. Any aspect of the Internet Cash Enterprise business conducted in North Carolina;
  - b. Transfers of funds between the defendant limited liability companies and between the defendant limited liability companies and the individual defendants;
  - c. The identities of North Carolina customers of Internet Cash Enterprise and the timings and amounts of sums paid to and from such customers;

- d. The governance and management of the defendant limited liability companies;  
and
  - e. Any other records or documents relating to the matters at issue in this case.
2. Plaintiffs shall preserve all records, including but not limited to electronic records and computer files, relating to:
- (a) All documents related to any ICE entity;
  - b) All documents relating to any Internet service providers, including documents reflecting payments for Internet service and/or usage of the Internet;
  - (c) All documents relating to any e-mail accounts ever maintained or utilized;
  - (d) All documents relating to any computers ever owned or used by the Plaintiffs.
3. This order shall not be binding on any person who is not currently a party in this case.
4. This order shall only have effect from the date hereof.
5. Nothing set out herein shall be deemed to imply that any person is or was at any time at liberty to destroy records if such destruction would constitute or would have constituted spoliation of evidence.
6. This order is without prejudice to any party objecting to the scope of discovery requests served on that party, and the preservation of any document or records does not in itself render such document discoverable.

**SO ORDERED.**

Signed: December 4, 2007

*Carl Horn, III*

Carl Horn, III  
United States Magistrate Judge



The undersigned Parties consent to the entry of the foregoing Order:

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